

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIUS LEE JACKSON,
Plaintiff,

v.

ED BARBERINI, et al.,
Defendants.

Case No. 23-cv-00695 BLF (PR)

ORDER OF DISMISSAL

Plaintiff, a state prisoner, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against various officers, officials, and entities within the City and County of San Mateo. Dkt. No. 1. On June 29, 2023, the Clerk sent Plaintiff a copy of the court's "Order Reassigning Case." Dkt. No. 8. On July 6, 2023, the Clerk sent Plaintiff a copy of the court's "Order of Dismissal with Leave to Amend." Dkt. No. 9. On August 1, 2023, these items of court mail that were sent to Plaintiff were returned as undeliverable and stamped "Inactive." Dkt. Nos. 10, 11. It appears that Plaintiff is no longer in custody.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a petition when: (1) mail directed to the *pro se*

1 party by the Court has been returned to the Court as not deliverable, and (2) the Court fails
2 to receive within sixty days of this return a written communication from the *pro se* party
3 indicating a current address. *See* L.R. 3-11(b).

4 More than sixty days have passed since mail addressed to Plaintiff was first
5 returned as undeliverable on August 1, 2023, because he was not custody. Dkt. Nos. 10,
6 11. The Court has not received a notice from Plaintiff of a new address or any further
7 communication from him. Accordingly, this action is **DISMISSED** without prejudice
8 pursuant to Local Rule 3-11 of the Northern District Local Rules.

9 **IT IS SO ORDERED.**

10 Dated: __October 13, 2023__


11 BETH LABSON FREEMAN
12 United States District Judge
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25 Order of Dismissal
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